

FEB 18 2004

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To: Commissioner for Patents for Examiner Melanie A. Kemper Group Art Unit 3622	Facsimile No.: 703/872-9306
From: Carrie Parker Legal Assistant to Patrick C. R. Holmes	No. of Pages Including Cover Sheet: 12
<p>Message:</p> <p>Enclosed herewith:</p> <ul style="list-style-type: none">• Transmittal Document;• Response to Notice of Non-Compliant Amendment; and• Copy of Notice of Non-Compliant Amendment.	
Re: Application No. 09/400,583 Attorney Docket No: CR9-99-049	
Date: Wednesday, February 18, 2004	
Please contact us at (972) 367-2001 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.	<i>This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.</i>

PLEASE CONFIRM RECEIPT OF THIS TRANSMISSION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Busche et al.**Serial No.: **09/400,583**Filed: **September 22, 1999**

**For: Method and System for
Integrating Spatial Analysis and Data
Mining Analysis to Ascertain
Favorable Positioning of Products in
a Retail Environment**

36736PATENT TRADEMARK OFFICE
CUSTOMER NUMBERGroup Art Unit: **3622**Examiner: **Kemper, Melanie A.**Attorney Docket No.: **CR9-99-049****Certificate of Transmission Under 37 C.F.R. § 1.8(a)**

I hereby certify this correspondence is being transmitted via
facsimile to the Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, facsimile number (703) 872-9306
on February 18, 2004.

By: *Carrie Parker*
Carrie Parker**TRANSMITTAL DOCUMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

ENCLOSED HERewith:

- Response to Notice of Non-Compliant Amendment; and
- Copy of Notice of Non-Compliant Amendment.

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to Deposit Account No. 09-0461. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to Deposit Account No. 09-0461.

Respectfully submitted,

Duke W. Yee
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/400,583	09/22/1999	FREDERICK D. BUSCH	CR9-09-049	3571

1590 01/27/2004
 GREGORY M DOUDNIKOFF
 IBM CORPORATION DEPT T81/062
 3039 CORNWALLIS ROAD
 RTP, NC 27709

EXAMINER

KEMPER, MELANIE A

ART UNIT

PAPER NUMBER

3622

DATE MAILED: 01/27/2004

*Response
 Due 2/27/04*

Please find below and/or attached an Office communication concerning this application or proceeding.

8-

Application/Control Number: 09/400,583
Art Unit: 3622

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1. The reply filed on 11/17/03 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the applicant did not address the third reference "The Data Game" used in the rejection. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.

EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M Kemper whose telephone number is 703-305-9589. The examiner can normally be reached on M-F (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric W. Stamber can be reached on 703-305-8469. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9326.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.


M Kemper
Primary Examiner
Art Unit 3622

MK

*** TOTAL PAGE. 04 ***